DOCUMENT RESUME

ED 095 262 CE 001 785

AUTHOR	Blumer, Alice Howard
TITLE	Jail Operations: Programmed Instruction, Book 5. Discipline.
INSTITUTION	Bureau of Prisons (Dept. of Justice), Washington, D.C.; Wisconsin Univ., Madison, Univ. Extension.
SPONS AGENCY	Law Enforcement Assistance Administration (Dept. of Justice), Washington, D.C.
PUB DATE	73
NOTE	49p.; For related documents, see CE 001 781-4 and CE 002 594
AVAILABLE FROM	Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402 (Stock Number 2705-00010, $0.85)
EDRS PRICE	MF-$0.75 HC-$1.85 PLUS POSTAGE
DESCRIPTORS	Classroom Materials; *Corrective Institutions; Course Content; Decision Making Skills; *Instructional Materials; Job Training; Occupational Information; *Officer Personnel; *Professional Training; Programed Materials
IDENTIFIERS	*Correctional Officers

ABSTRACT

The programed course was written to help jail officers assume the demands of jail work and emphasizes that, in addition to routine tasks, officers must be fully prepared to serve an important function for society as well-trained, responsible professionals. Much of the officer's job will depend on his ability to make decisions and to avoid the mistakes and disproven beliefs of the past. The course material includes discussions of mistakes which other men and women have made on the job; this anecdotal background material was supplied by Federal Jail Inspectors. The fifth book of the course helps the jail officer to understand what is meant by discipline and what must be involved in his decision to use discipline in controlling a prisoner. It is designed to help the officer: (1) recognize what situations require disciplinary action, and (2) choose the correct disciplinary action when needed. The book is not a discussion of punishment, which involves negative actions, but focuses on positive factors of discipline: teaching self control, setting standards of proper behavior, and correcting improper behavior consistently and fairly. (Author/AJ)

ED 095262

Jail Operations

A Training Course for Jail Officers

Programmed Instruction:

Book 5: Discipline

4 - FEB 2 1974
Copy 1974
SUPERSEDES DUPLICATE

BEST COPY AVAILABLE

United States Bureau of Prisons

BEST COPY AVAILABLE

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION
THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

CE001785

Jail Operations

A Programmed
Instruction
Course
based on the text,
The Jail:
Its Operation
and Management

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price 85 cents
Stock Number 2705-00010

Developed by
Alice Howard Blumer

Specialist
University
Extension
The University
of Wisconsin

Published by the
United States
Bureau of
Prisons

in cooperation
with
University
Extension
The University
of Wisconsin

funded by
Grant No. 373
Law Enforcement
Assistance Administration

BEST COPY AVAILABLE

Project Directors
Albert D. Hamann, Associate Professor, Institute of Governmental Affairs, University Extension, The University of Wisconsin

H.G. Moeller, Deputy Director, United States Bureau of Prisons

Consultants
Ronald E. Larsen, Manager, Instructional Technology, The NCR Company, Dayton, Ohio

Harry P. Zimmerman, Ph.D., Professor of Education, Program Design and Research, Program and Staff Development Division, University Extension, The University of Wisconsin

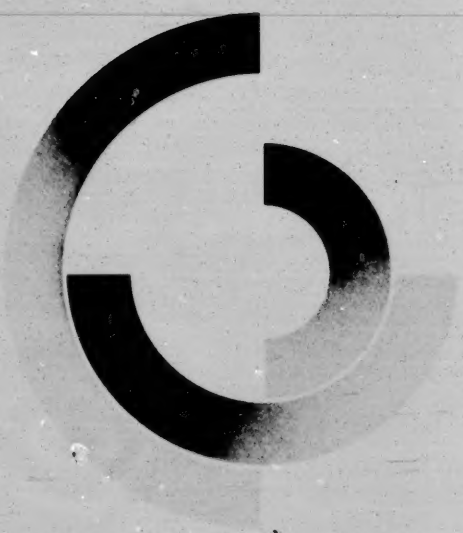
CONTENTS

Preface	v.
Acknowledgement	vi.
Note to the Reader	vii.

Book One: CORRECTIONAL HISTORY AND PHILOSOPHY
Book Two: JAIL OPERATIONS
Book Three: JAIL CLIMATE
Book Four: SUPERVISION
Book Five: DISCIPLINE
Book Six: SPECIAL PRISONERS

Preface

This course is for jail officers. It was written to help them assume the difficult and challenging demands of jail work. The course emphasizes that, in addition to the routine tasks which officers must learn to perform in the jail, they must also be fully prepared to serve an important function for society as well-trained, responsible professionals. Much of the jail officer's job will depend on his ability to make important decisions and to avoid the mistakes and disproven beliefs of the past. The course material includes discussions of mistakes which other men and women have made on the job; it is hoped that jail officers can learn from these things and avoid making the same errors. Naturally, there can be no substitute for actual on-the-job experience. But it is hoped that by participating in this course, jail officers will be better prepared to perform in a professional, competent manner on the job than if they were required to learn only "by doing".



Alice H. Blumer
Madison, Wisconsin

Acknowledgement

Much of the anecdotal background material found in these pages was supplied by the Federal Jail Inspectors who willingly devoted their time recalling pertinent experiences for the author. The author is indebted to these men; their material has done much to enliven these pages.

The Jail Inspectors also contributed time and effort to the field testing of the material. They are: John L. Anderson, Charles R. Burns, Frank D. Chastain, Merlyn D. Coons, John W. Cossett, Hugh R. Crum, Francis J. Kirkland, John W. McGinnis, Max L. Mustain, Oscar L. Olive, and Hubert H. Raney.

Throughout the development stages of this course, the men of the Dane County Jail, Madison, Wisconsin, have consistently cooperated with and assisted the author, not only by supplying necessary details, but also by carefully reading and responding to the material. The author wishes to thank Sheriff Vernon C. Leslie for allowing free access to the jail. Special thanks go to Captain Otis R. Lund who devoted much time to interviews and supplied needed information to the author. In addition, the following men spent many hours with the author reading and responding to material, and answering endless questions:

Deputy William C. Ludwig
Deputy Edward C. Pohlman

During the evaluation period, eleven jails offered time and manpower to participating in the sometimes long and involved steps necessary for course evaluation. The author wishes to thank the jail administrators and the men and women involved from the following jails:

Ada County Jail, Boise, Idaho
Bexar County Jail, San Antonio, Texas
Chesapeake City Jail, Chesapeake, Virginia
Franklin County Jail, Columbus, Ohio
Hamilton County Jail, Chattanooga, Tennessee
Imperial County Jail, El Centro, California
McCracken County Jail, Paducah, Kentucky
Tulsa County Jail, Tulsa, Oklahoma
Warren County Jail, Bowling Green, Kentucky
Wyandotte County Jail, Kansas City, Kansas
York County Jail, York, Pennsylvania

Note to the Reader

This course has been written in a form known as Programmed Instruction. It is *not a test*. Programmed Instruction enables you to work alone, without a teacher, and at your own pace. To participate in this type of course, all you have to do is read carefully, follow instructions and complete each book. You cannot use this course like a magazine, that is, opening at the middle and flipping through the pages. It is very important that you *begin at the beginning* and read all the material. You will see that, throughout the course, when you read some material, you will be asked to respond to some written questions and then check your answer by comparing it to the printed answer appearing on the following page. This is not, in any way, a test. It is simply a way of helping you to learn and remember the material. You will not be timed while taking this course, so you may go at your own pace, taking a break whenever you feel tired. We think you will enjoy learning in this manner, and hope that you will finish the course with a renewed feeling of pride in your profession and in your ability to perform your job with skill and confidence.

BOOK FIVE: DISCIPLINE

INTRODUCTION

Inevitably, there are some prisoners who do not readily respond to positive staff attitudes and often refuse to cooperate with even the most understanding and patient jail officers. When this is the case, disciplinary measures must often be used. It is extremely important for the jail officer to understand what is meant by discipline and what must be involved in his decision to use discipline in controlling a prisoner. The rest of this chapter has been designed to help you:

- recognize what situations require disciplinary action
- choose the correct disciplinary action when needed

Before continuing, it is important for you to realize that this section will *not* be a discussion of punishment. Punishment is only a "last resort" and, as such, is only a small factor in the overall view of discipline. Actual punishment usually involves such *negative* actions as:

- taking away some of a prisoner's "good time"
- taking away a privilege
- assigning a prisoner to a solitary cell

The *positive* factors of discipline include:

- teaching self control
- setting standards of proper behavior
- correcting improper behavior consistently and fairly

For the benefit of jail personnel and prisoners it is desirable that officers constantly seek ways of treating disciplinary problems informally in a thoughtful, constructive manner rather than assuming that all misconduct must be punished.

Before continuing, it is important that you understand the definitions of DISCIPLINE and PUNISHMENT and that you keep the relationship between the two clearly in mind.

- DISCIPLINE is the training required to insure obedience to established rules.
- PUNISHMENT is a penalty for some offense—it is usually a denial of privileges rather than infliction of pain.

Effective discipline is designed to *correct* and *teach* rather than to punish or seek revenge. However, punishment *may* be appropriate in some cases as a method of encouraging proper behavior.

Every jail in the country must operate under a set of established regulations. Prisoners are expected to learn these rules and abide by them. And when prisoners break jail rules, it is the responsibility of the jail officer to determine the cause of the misconduct and decide whether he should make a formal report of the matter or try to informally correct the prisoner's behavior. This is often a difficult decision for the officer. He must use personal judgment to analyze the situation and determine the correct action. Not all circumstances require formal disciplinary action, and it would be unwise for an officer to be a "hard nose" and attempt to treat all cases of prisoner misconduct in the same way and with the same intensity.

When a prisoner breaks a rule and thereby endangers the safety of the personnel and prisoners, there is usually a clearcut need for some sort of punishment. The following actions by prisoners are considered dangerous to the security and well-being of the jail staff and prisoners and usually require punishment.

- interfering with a prisoner count
- attempting escape
- possession of a weapon
- attacking a jail officer
- attacking a prisoner
- destroying security equipment

In no case should an officer punish a prisoner. An officer who feels that punishment is in order has the duty to let someone else decide what to do. In a small jail, a higher ranking officer or the sheriff may be the one who should decide the action. And in a larger jail, there may be a disciplinary board or court available to decide these cases. Just as the police must allow a judge or court to decide the penalties for the persons they have arrested, you, the jail officer, must allow an impartial person or group of people to decide disciplinary action for the prisoners who you report. Read what happened to a jail officer who considered it his right to impose punishment on uncooperative prisoners.

> Recently a jail officer decided that, rather than reporting several prisoners for serious misconduct, he would punish the prisoners himself. He ordered the men to do 150 deepknee bends. One of the prisoners collapsed after the exercise and had to be helped to his cell. The following day, he was hospitalized for kidney failure. Because the officer had ignored the established procedure for formally reporting misconduct to the sheriff, the district attorny formally charged him with "assault, coercion, official misconduct, and reckless endangerment"

Note:

A jail officer may not always agree with the punishment that is assigned. Some prisoners will be given warnings; others not punished; and others, punished only lightly. The reporting officer should not interpret these decisions as a lack of support for him. The action taken on a formal report usually reflects the administrator's concern for factors that the jail officer may not have considered. These factors include the prisoner's overall adjustment, his personality, and the circumstances of the violation.

In most instances of misconduct, prisoners break jail rules that do *not* directly affect the safety of personnel and prisoners in the jail. These rules might deal with such things as:

- cleaning up their cells
- wasting food
- performing a job assignment
- making excess noise
- displaying insolence and lack of respect for authority

Prisoners may misbehave because they are purposely trying to cause trouble. In such cases, some sort of disciplinary action may be called for.

Can you think of any other reasons why prisoners may misbehave? Before turning the page, see if you can name some other reasons for misbehavior.

Prisoners often misbehave because they are under unusual emotional stress, because they have not thoroughly understood a jail regulation, or because lack of exercise and the monotony of jail life have resulted in excess energy and a desire to "blow off steam". They may also misbehave because jail officers have not indicated *what behavior is expected* of prisoners while in the jail. Naturally, it is the duty of jail officers to make these standards of behavior very clear and understandable for prisoners.

It is the jail officer who has the responsibility to decide whether a situation can be handled informally or if there is clearly a need to report the matter. He must reach his decision by using his own judgment concerning the personality and past behavior record of the prisoner and the circumstances in which the prisoner misbehaved.

Often an officer who has seen a prisoner break a jail rule can determine whether the misconduct was intentional or just a careless lapse. And the officer can often determine the cause of misconduct by quietly talking to a prisoner and finding out what is bothering him. In any case, it is a mistake to automatically treat all misconduct as an attempt by the prisoner to defy authority or cause trouble.

"I won't get on that scaffold and paint no matter what you do to me!"

Knowing that Prisoner Myron Jeffries was usually a willing and cooperative worker, Officer Chase was extremely surprised to hear Jeffries flatly refuse to follow his orders to paint the ceiling of the jail.

Refusal to follow work orders in this jail constitutes an infraction of jail regulations and usually brings a punishment such as temporary suspension of the prisoner's recreation privileges. However, rather than automatically filing a formal report, Chase decided to talk privately with Jeffries to determine if anything was troubling him.

RESULT: Officer Chase found that Jeffries had developed a great fear of scaffolds after seeing a friend badly injured in a fall from one. Chase promptly assigned Jeffries to another job. The officer also warned Jeffries that such a flat refusal to work, without an accompanying explanation, might have been interpreted as insolence and misconduct. He suggested ways that Jeffries could more constructively voice his complaints in the future.

After taking the time to talk privately with the prisoner, Officer Chase correctly recognized that formal disciplinary action would not be appropriate in this case. However, he also realized that *informal* discipline *was* appropriate. He pointed out to the prisoner that he must learn to rationally explain his complaints to officers if he expected to receive fair treatment from them.

In this case, the informal disciplinary action which Officer Chase took was:

___ 1) Changing Jeffries' work assignment to a harder one
___ 2) Threatening to punish Jeffries the next time he refuses to work in this way
___ 3) Telling Jeffries that his blunt way of refusing to work might result in punishment and suggesting better ways of voicing his complaints to officers

Turn page to check your answer . . .

Answer:

___ 1) Changing Jeffries' work assignment to a harder one

___ 2) Threatening to punish Jeffries the next time he refuses to work in this way

_X_ 3) Telling Jeffries that his blunt way of refusing to work might result in punishment and suggesting better ways of voicing his complaints to officers

---

All too many jail officers think that their only responsibility in disciplining prisoners is to see that all violations and infractions are reported. And, in smaller jails where there is no formal disciplinary procedure, many officers think that their only responsibility is punishing prisoners *after* they have committed a violation. This way of thinking can only bring trouble and conflict to the jail.

It is well known among experienced jail officers that the best and most effective among them are those officers who *seldom* file formal disciplinary reports. These are officers who consider it their responsibility to use positive discipline to *prevent* violations of the rules by closely observing prisoners and dealing with potential problems on an individual basis before they become serious. In the majority of cases, officers *can* avoid serious problems if they reason with individuals and explain correct behavior to them.

In a small Southern jail where prisoners return their food trays directly to the kitchen, a rule states that stealing food from the kitchen will bring formal disciplinary action. During a routine frisk search, Officer Cates found that prisoner Ben Roberts, a usually cooperative prisoner, had an onion in his pocket which he had obviously stolen from the kitchen.

Before taking any action, Officer Cates considered these possible courses of action:

___ 1) Writing a formal disciplinary report and allowing the jail administrator to handle the problem

___ 2) Dealing with the situation informally; requiring the prisoner to return the onion and apologize for the incident

___ 3) Making the prisoner eat the onion raw as an example to any other prisoners who might be thinking of stealing food

Consider each of these alternative actions and decide which would have been the best action to take in the situation described above. When you have decided on your answer, turn the page.

Answer:

___ 1) Writing a formal disciplinary report and allowing the jail administrator to handle the problem

_X_ 2) Dealing with the situation informally, requiring the prisoner to return the onion and apologize for the incident

___ 3) Making the prisoner eat the onion raw as an example to any other prisoners who might be thinking of stealing food.

Since the prisoner has been described as "usually cooperative" and since stealing one onion can hardly be considered important enough to warrant a formal report to a busy administrator, solution number 1) is overly harsh. Solution number 3) — making the prisoner eat the onion — could be embarrassing to the prisoner and damaging to prisoner morale. Such treatment might cause the prisoner to become hostile and could encourage him to demonstrate to his friends how "tough" he can be. It is well known that in cases where jail officers seek to "make an example of" a prisoner in front of other prisoners, tension and unhappiness are usually the result.

By correcting the prisoner in an *informal* way and requiring him to return the onion to the kitchen, the officer provides a good opportunity for the prisoner to correct his behavior and learn the importance of following jail rules. The officer can thereby avoid turning the small incident into a major disciplinary proceeding, blown far out of proportion to its importance.

Use of "silent insolence" by prisoners in order to annoy or harass jail officers is common. Staring sullenly at an officer, responding to an officer's orders in a deliberately slow and reluctant manner, and whispering and laughing with other prisoners while an officer passes by, are all methods of displaying "silent insolence". The purpose of such behavior, naturally, is to cause an officer to lose his temper, become angry and frustrated, and make himself ridiculous in the eyes of the prisoner population. Dealing with this type of insolence is far more difficult than dealing with a refusal to work, verbal disobedience, or other, more tangible methods of disobedience. And, since it is difficult to prove "silent insolence" or to stop it by warnings or punishment, the wisest, most proven course for the officer to follow when faced with the problem is to *ignore it* as long as no specific rules are being broken. When prisoners are unable to force an officer to "lose his cool" by using silent insolence, they often stop trying. But if prisoners succeed in making an officer lose his temper, they will undoubtedly be encouraged to continue their insolent behavior.

Naturally, not all cases of silent insolence can be handled by simply ignoring them. An officer should use his judgment to determine if a prisoner is merely trying to annoy him, or if a change in the prisoner's situation or a misunderstanding have made him depressed and difficult to handle. If the latter is the case, talking informally with the prisoner in an attempt to determine what is troubling him might be effective in relieving the problem.

Robert Coles had been a cooperative and well-behaved prisoner until recently when he began to stare sullenly at Officer Dubinsky as he made his rounds past the cellblock. Coles had always made a practice of greeting the officer pleasantly as he passed but now only stared without speaking. Dubinsky usually made a practice of ignoring such practices since they were usually prisoner attempts to make him angry. However, in this case, Dubinsky became worried about the prisoner. He took an opportunity to speak privately with Coles and, after a long pause, the prisoner finally told him that he had been suffering from severe headaches and hadn't reported for sick call because he was convinced that the doctor would tell him he was dying of a brain tumor. Hearing this, the officer was able to reason with the prisoner and managed to convince him that the doctor would be able to help him and that brooding over his condition had probably made the headaches worse.

You have seen examples of how officers can often effectively avoid formal disciplinary actions by dealing informally with prisoners involved in rule infractions or misconduct. In the case of Myron Jeffries who refused to climb the scaffolding, the officer showed good judgment in talking to the prisoner informally and pointing out where Jeffries was at fault. Chances are that this problem was resolved at this point, and Jeffries would not act in this manner again.

Likewise, the informal handling of the onion-stealing incident showed good judgment on the officer's part. This officer now has reason to believe that the prisoner will never again be involved in a similar incident. However, if the prisoner again commits a violation of this sort, the officer would be justified in formally reporting the prisoner. Informal correction of infractions is essentially a *warning* to the prisoner that if he continues to create the same problem, he can expect formal disciplinary action. It is also a way in which the officer can point out the correct behavior to the prisoner so that, if the misconduct was unintentional or careless, the prisoners can avoid the same mistake in the future.

On the following pages are some situations with which jail officers have been faced. Read each situation carefully, and see if you can suggest the correct action based on the information which you are given.

Two prisoners who are good friends are pushing each other in line. They are both laughing and kidding, but their horseplay is slowing up the line.

The officer should do the following:

___ 1) Submit a formal report—the two are disturbing other prisoners
___ 2) Pull the prisoners out of line and tell them to return to their cells
___ 3) Tell the prisoners to stop
___ 4) Ignore the incident—the two are only kidding

Turn page to check your answer . . .

Answer:

___ 1) Submit a formal report—the two are disturbing other prisoners
___ 2) Pull the prisoners out of line and tell them to return to their cells
_X_ 3) Tell the prisoners to stop
___ 4) Ignore the incident—the two are only kidding

Prisoner Harry Grover laughingly pushed another prisoner out of the serving line. Officer Teppler told him to stop and Grover did so, muttering under his breath something which Teppler couldn't hear. The other prisoners apparently heard the remark because a number of them laughed and glanced at the officer.

Teppler could have:

___ 1) Confronted Grover accusing him of being a wise guy and threatening to put him in solitary confinement
___ 2) Written a formal report and submitted it to the jail administrator
3) Sent Grover back to his cell, warning the other prisoners to learn from this example
___ 4) Ignored the incident

Which of the above actions do you think Teppler should have taken?

Turn page to check your answer . . .

Answer:

Teppler should have: 4) Ignored the incident. This is a case where the officer would not have any evidence to support his accusations and could have made the situation much worse if he had attempted to confront the prisoner or impose any formal disciplinary action.

Note: .

You may have noticed that answer number 1) showed the officer threatening to put the prisoner in solitary confinement. Threatening punishment in this manner is extremely poor policy. One of the rules for good supervision that you learned earlier is: DO NOT MAKE PROMISES WHICH YOU CANNOT KEEP. The same principle applies in disciplinary situations. Since someone else will make the decisions regarding punishment, there is no way that you can guarantee that your threat will be carried out. Threatening a punishment that is never brought against a prisoner may result in a loss of authority in your relationship with the prisoner.

While two jail officers were taking the morning prisoner count before changing shifts, prisoner John Hicks was moving around and changing positions in order to "play a trick" on the officers. When the count was completed, it was found that either someone was missing or the count was incorrect. A recount had to be performed, requiring the prisoners to line up again and the officers to work overtime.

When the officers realized that Hicks had been responsible for the incorrect count, they should have:

___ 1) Submitted a formal report on his misconduct
___ 2) Warned him not to do it again
___ 3) Ignored the situation thereby showing self control
___ 4) Allowed the prisoners to discipline Hicks since they had been inconvenienced by his actions also

Turn page when you have chosen an answer . . .

Answer:

X 1) Submitted a formal report on his misconduct
___ 2) Warned him not to do it again
___ 3) ignored the situation thereby showing self control
___ 4) Allowed the prisoners to discipline Hicks since they had been inconvenienced by his actions also

As we mentioned earlier, interfering with a prisoner count is a serious infraction and requires prompt disciplinary action. In every jail, prisoners are well aware of the importance of complying with jail regulations regarding prisoner counts. And a clearcut case of disregarding regulations should bring formal disciplinary action.

Prisoner Russell Burroughs has refused to bathe for the second time this week. On the previous occasion, Officer Nichols was able to talk quietly ,and convince Burroughs to bathe. However, this time the prisoner refuses to be persuaded and has stated that under no circumstances will he bathe. The other prisoners in his cell have complained a number of times about Burroughs' unpleasant odor.

Officer Nichols should:

___ 1) Handle the matter informally, talking to the prisoner unti' he consents to bathe
___ 2) Do nothing, the other prisoners will soon force Nichols to bathe
___ 3) Write a formal report of the matter, explaining the situation
___ 4) Force the prisoner to shower

Turn page to check your answer . . .

Answer:

___ 1) Handle the matter informaliy, talking to the prisoner until he consents to bathe
___ 2) Do nothing, the other prisoners will soon force Nichols to bathe
_X_ 3) Write a formal report of the matter, explaining the situation
___ 4) Force the prisoner to shower

Obviously, the informal method is not going to work this time. The prisoner obviously is aware of the consequences of his action and has still refused to bathe. At this point, the matter should be left to the jail administrator or whoever is responsible for making decisions concerning punishment in this jail.

Note:

Leaving this kind of problem up to the prisoners is a poor idea. It is never a good idea to allow prisoners to take over important supervisory functions especially when they affect other prisoners. Allowing the prisoners to force Burroughs to bathe might well end in violence or a loss of control by jail officers.

Prisoner John Leonard is a cell block trusty and has been given the privilege of living in a single cell. He has been a prisoner in the jail on a number of occasions and is now serving his third month of a six-month sentence. He is well aware of the rules and regulations governing personal conduct in jail. Among the jail regulations is a rule which states that no pictures are to be hung on the walls of the cells. A recent inspection revealed that Leonard has covered one wall of his cell with newspaper pictures and clippings, using pancake syrup for glue.

The officer who made the inspection should:

___ 1) Ignore the practice since Leonard is a trusty
___ 2) File a formal report to the jail administrator
___ 3) Warn Leonard that if he doesn't clean up the walls, he will be reported

Turn page to check your answer . . .

Answer:

___ 1) Ignore the practice since Leonard is a trusty
X 2) File a formal report to the jail administrator
___ 3) Warn Leonard that if he doesn't clean up the walls, he will be reported.

If Leonard were a new prisoner, possibly unaware of the rules, a warning would have been the proper course of action. However, in this case, the offending prisoner is a trusty and is therefore in a position of some responsibility. He is an experienced prisoner in this jail and has no excuse for not knowing the regulation prohibiting the pasting of pictures on cell walls. The chances are that Leonard is taking advantage of his position and is seeking special privileges. The officer should make a formal report to the administrator since it is the administrator who is largely responsible for choosing trusties and for dealing with disciplinary cases.

In some cases, it is not easy for an officer to determine who has committed a violation of jail rules and must issue a warning to several prisoners. In such cases, it is still a good idea to employ the principle of dealing with an infraction on an informal basis first and then resorting to a formal disciplinary measure only when the first method has failed. Here is an example of an incident which requires some ingenuity and patience on the part of the jail officer who must deal with a group of prisoners at once:

> When the eating utensils were returned from a cell inhabited by six prisoners, Officer Knowles counted them and found that three spoons were missing. In this jail a rule states that stealing utensils will bring punishment since they can be used as weapons.

Officer Knowles considered these four possible courses of action:

___ 1) Organizing an immediate shakedown of the entire cellblock by jail officers
___ 2) Writing disciplinary reports on each of the cell occupants suggesting penalties for each
___ 3) Interviewing each of the cell occupants in an attempt to get them to tell who stole the spoons
___ 4) Telling the prisoners that he would allow them ten minutes alone after which he would return and expect to find the spoons in front of the cell door; also warning that a shakedown would be performed if the spoons were not returned

Which of these actions do you think would be the most appropriate for Knowles to take?

Turn page to check your answe . . .

Answer:

The best solution to this problem is: 4) warning the men that if the spoons were not returned in the ten-minute period, a shakedown would be performed.

By giving the prisoners a warning such as this and allowing them to return the spoons anonymously, the officer was giving the prisoners a "grace period" in which to correct their behavior. This type of informal solution is often very effective and often brings quick results. Formal disciplinary action in such cases usually takes longer, often involves more work for jail officers, and invariably causes bad morale among the prisoners who have not misbehaved. Even if a shakedown *were* performed immediately, chances are that it would be impossible to determine who, out of a six-man cell, was responsible for the incident and should receive some sort of punishment.

The majority of jail prisoners *do* respond to attempts by officers to teach them correct behavior and respect for jail rules. And, as we have already mentioned, the most effective officers are able to maintain discipline on an informal, individual basis without relying on more formal disciplinary measures. However, there are prisoners who continually break rules and refuse to cooperate with officers on any terms. When dealing with these prisoners, it is vital that officers make a conscious effort to control themselves and not resort to impulsive force.

> Edgar Lucas, a prisoner in a large jail, has consistently shown hostility toward jail officers. Usually his misbehavior is characterized by "silent insolence" and a slowness in following orders. Recently he did not appear for the morning prisoner count and was found sitting in a corner of his cell, refusing to move. The officer in charge attempted to talk to the prisoner in order to find out if he had a problem or complaint. However, Lucas swore at the officer and told him to, "Get off my back." Lucas then refused to clean up his cell or perform any of his assigned chores for the day.

Here is a case in which the uncooperative behavior of Lucas as well as his hostile remark might well have caused the officer to lose his temper and try to force Lucas to behave. But it is in the officer's best interest to control his temper, simply walk away from the prisoner and submit a formal report to the jail administrator concerning the situation. The officer has done his duty; dealing informally with the matter at first, and then submitting a formal report. Any further action must be decided by the administrator; it is he who bears the responsibility for deciding further action concerning the prisoner.

In a large county jail, one experienced jail officer feels that he is able to "keep his cool" and still retain his "self-respect" in the eyes of his prisoners. Whenever a prisoner swears at him, calls him a name, or threatens him, the officer does the following:

"I just put the keys in the cell door and say to the man, 'If you want to prove something, come with me to the end of the cell block; I'll take off my badge and uniform shirt and we'll fight it out to see who's boss. If you win, I'll throw the book at you.'"

To this date, a prisoner has never accepted the officer's invitation.

What do you think of the officer's policy?

Be sure you think of your answer before turning the page ...

Answer:

Although this officer *thinks* he retains control of prisoners by this method, he is far from correct. His offer to fight with prisoners is a clear indication that *they* control *him* with remarks and insolence. Removing a badge or uniform shirt does *not* remove an officer's responsibility to always remain in control of his emotions and actions in his relationship with prisoners. It is a serious mistake for a jail officer to feel that his professional responsibility can be so easily set aside while he satisfies a personal need to defend his manhood and establish his superiority.

It is very important for jail officers to realize where their responsibility ends when dealing with obviously uncooperative prisoners.

> Prisoner Ralph Edwards dropped his lunch on the floor of his cell and left it there without attempting to pick up the mess. Officer Jennings heard the noise and after checking on the incident, brought a dustpan and a mop so that Edwards could clean up the broken dishes and the spilled food. The prisoner said, "Forget it, Turnkey, I'm not picking up anything. It can lie there and rot." This prisoner has a reputation for frequently making hostile remarks to officers and refusing to follow orders.

This is a clearcut case of a prisoner who is uncooperative and hostile towards authority. What is Officer Jenning's responsibility in dealing with this case?

___ 1) He should ignore the prisoner
___ 2) He should make an attempt to force the prisoner to pick up the mess
___ 3) Report the situation to the jail administrator and let him decide what action to take

Turn page to check your answer . . .

Answer:

___ 1) He should ignore the prisoner
___ 2) He should make an attempt to force the prisoner to pick up the mess
_X_ 3) Report the situation to the jail administrator and let him decide what action to take

It is extremely poor policy for a jail officer to take a matter such as this into his own hands. When a prisoner is openly hostile in this manner, it is almost impossible to "force" him to follow orders. The decision of how to deal with this type of situation should be an *administrative function*. It is quite possible that the administrator might want to call in a psychologist to evaluate the prisoner's mental condition, or he might simply order that the prisoner be locked up in his cell until he decides to clean up the mess. In any case, leave this decision up to your administrator, do not try to solve such problems impulsively.

Sometimes a prisoner will become violent and try to injure another prisoner or a jail officer. Although it is rare for this to happen, it is important for you to know how to respond to and subdue violent prisoners.

The following guidelines are suggested for handling violent prisoners.

- NEVER ATTEMPT TO SUBDUE A VIOLENT PRISONER ALONE
  Always seek the assistance of one or more officers. Struggling alone with a violent prisoner increases an officer's chances of being injured or overpowered. When two or more officers are involved, they have a better chance of subduing the prisoner quickly and without injury. Also, if more than one officer is involved, the prisoner can "allow" himself to be controlled without embarrassment. Losing a struggle with two officers is not the embarrassment that losing to only one officer is.
- AVOID STRIKING OR OTHERWISE HARMING THE PRISONER
  The officer's duty is to *contain* the prisoner; that is, to prevent him from further violent action. Your duty is *not* to injure the prisoner or "teach him lesson".

BEST COPY AVAILABLE

Some jails are equipped with a protective shield which is used in handling violent prisoners. The pictures shown below demonstrate how the shield can be used to subdue a violent prisoner:

The officers using this shield are correctly following the two guidelines for controlling violent prisoners. Write the guidelines here in your own words:

1. _____

_____

_____

2 _____

_____

_____

When you are finished, turn page to check your answer . . .

Answer:

Your answer should include these two rules:

- NEVER ATTEMPT TO SUBDUE A VIOLENT PRISONER ALONE
- AVOID STRIKING OR OTHERWISE HARMING THE PRISONER (Notice that, by using the shield, the officers are able to contain the prisoner without struggling with him or hitting him.)

Not all jails are equipped with such things as protective shields and, unfortunately, not all violent incidents that occur are easily handled. A jail officer's judgment is always the important element in stopping violence. For instance, if he must subdue a prisoner where other prisoners are watching, his ability to handle the situation calmly, as quickly as possible, and in accordance with jail rules is extremely important.

What do you think would be the probable result of using too much roughness in front of a sympathetic prisoner audience?

Turn page for answer . . .

Answer:

It has been well established that a sympathetic prisoner audience can easily get out of control and cause more violence if officers are seen using unnecessary roughness against a prisoner and ignoring rules for their own official behavior.

Whether or not your jail has a formal procedure for handling discipline, there is one universal rule that applies to all jails, large or small. The rule is:

WHENEVER A PRISONER IS PUNISHED, A RECORD OF THE ACTION MUST BE KEPT

You may remember the previous discussion in the Supervision section concerning the importance of keeping medical records. You read examples in which jail officers had failed to keep medical records and thereby gave prisoners an opportunity to bring successful legal suits against the jail, charging improper medical treatment. The same principle applies whenever punishment is involved. In recent years, courts have been increasingly concerned with cases in which prisoners have charged that jail officers used "cruel and unusual punishment" to discipline them. If you do not keep careful jail records detailing each case in which punishment is used, it will be extremely difficult to prove that "cruel and unusual punishment" was *not* used. Good records are *particularly important* in cases where "good time" is taken away or a prisoner is placed in segregation. To avoid legal problems in your jail, you should make records that include the following:

- Previous warnings that prisoner has received
- Reason for punishment
- Time and date when punishment decided and begun (also names of persons deciding punishment)
- Details of the punishment decided upon (for instance, if punishment involves revocation of recreation privileges, the record should indicate how long this is to be enforced and how many recreation sessions the prisoner will miss during this time)

In many of the larger jails, officers are required to submit formal disciplinary reports to the person (or persons) who must make a judgment about the misconduct and suggest corrective action or punishment. If your jail is one that requires *you* to write these reports, you should read the next few pages carefully and study the ways in which you can write an effective and constructive report.

On the next few pages are the basic requirements for a good disciplinary report:

- Full name of the prisoner
- A complete description of the *prisoner's behavior leading to necessity for the report*, and a notation of warnings which he has received.

Here is an example of such a description:

"Prisoner Adams was assigned to potwashing crew along with several others. He objected loudly to the assignment but then apologized to me explaining that he had not slept well last night. I suggested that he try harder to cooperate in the future or I would have to report him. Fifteen minutes later, the prisoner purposely started a fight with another prisoner, punching him and shouting, 'Next time you splatter water on me I'll kill you!'"

- *Time and place of the offense:* These are two important elements because they lend specific proof to your accusation of misconduct.
- *Location of officer* when offense occurred: For example:

> "I was passing the kitchen door when I observed the incident. Adams and the other prisoner, Sawyer, were standing at the sink, with their backs toward me when Adams started to hit Sawyer."

- If the offense is serious, such as a violation of a criminal statute, *information on witnesses should be included.* For instance, if a prisoner has been sexually assaulted, he should be required to identify his assailants and provide names of any prisoners who could testify in his behalf.

Note:

Prisoner witnesses should not be included for violations that are not particularly serious since they will undoubtedly be victimized and intimidated later when other prisoners find that he is a "stool pigeon". However, if other officers have observed the violation, their names should be included.

- The reporting officer should indicate *what actions he took in response to the prisoner's behavior*. For example:

> I called for Officer Dorsey to help me and, together, we backed the prisoner into a corner so that he could no longer reach Sawyer. At this point, with each of us holding one of the prisoner's arms, we escorted him back to his cell and locked him in.

- In the same description, the reporting officer should describe the *prisoner's response to any action taken*. For example:

> Adams did not struggle but said, "I'll get even with you jerks." When he was locked in his cell, he muttered some remarks that we couldn't hear well enough to quote.

- If the behavior has been consistent, the reporting officer should indicate *what warnings have been given in the past*. For example:

> Several weeks ago, prisoner Adams started to bully one of his cellmates for no apparent reason. He stopped immediately when I warned him that further misconduct like this could force me to make a formal disciplinary report.

☆ U.S. GOVERNMENT PRINTING OFFICE : 1973 O - 520-119

(tear out along this line)

The next time you are required to write a formal disciplinary report, use this page as a checklist to determine if you have left any important details out of your report.

- Prisoner's full name
- Complete description of prisoner's behavior leading to necessity for report
- Time and place of offense
- Location of reporting officer when offense occurred
- Information on witnesses
- Immediate actions taken by reporting officer in response to prisoner behavior
- Prisoner's response to reporting officer's actions
- Warnings given to prisoner previously (in case of persistent behavior)